"बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी. 2-22-छत्तीसगढ़ गजट/38 सि.से. भिलाई, दिनांक 30-5-2001."

पंजीयन क्रमांक "छत्तीसगढ़/दुर्ग/तक. 114-009/2003/20-1-03."

छत्तीसगढ़ राजपत्र

प्राधिकार से प्रकाशित

क्रमांक 11] रायपुर, शुक्रवार, दिनांक 16 मार्च 2007- फाल्गुन 25, शक 1928

भाग 4

विषय - सूची

भाग 4 (क) - कुछ नहीं

भाग 4 (ख)

संसद के अधिनियम

GOVERNMENT OF CHHATTISGARH
LAW AND LEGISLATIVE AFFAIRS DEPARTMENT

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra -ordinary, Part -II, Section I, The Explosive Substances (Amendment) Act, 2001 (Act No. 54 of 2001) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 11-12-2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE EXPLOSIVE SUBSTANCES (AMENDMENT) ACT, 2001

An Act further to amend the Explosive Substances Act, 1908.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Explosive Substances (Amendment) Act, 2001.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Substitution of new sections for sections 2 to 5.

2. In the Explosive Substances Act, 1908 (hereinafter referred to as the principal Act), for sections 2 to 5, the following sections shall be substituted, namely :— **6 of 1908.**

Definitions.

'2. In this Act,—

(a) the expression "explosive substance" shall be deemed to include any materials for making any explosive substance; also any apparatus, machine, implement or material used, or intended to be used, or adapted for causing, or aiding in causing, any explosion in or with any explosive substance; also any part of any such apparatus, machine or implement;

(b) the expression "special category explosive substance" shall be deemed to include research development explosive (RDX), penta erythritol tetra nitrate (PETN), high melting explosive (HMX), tri nitro toluen (TNT), low temperature plastic explosive (LTPE), composition exploding (CE) (2, 4, 6 phenyl methyl nitramine or tetryl), OCTOL (mixture of high melting explosive and tri nitro toluene), plastic explosive kirkee-1 (PEK-1) and RDX/TNT compounds and other similar type of explosives and a combination thereof and remote control devices causing explosion and any other substance and a combination thereof which the Central Government may, by notification in the Official Gazette, specify for the purposes of this Act.

Punishment for causing explosion likely to endanger life or property.

3. Any person who unlawfully and maliciously causes by—

(a) any explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually caused or not, be punished with imprisonment

for life, or with rigorous imprisonment of either description which shall not be less than ten years, and shall also be liable to fine;

(b) any special category explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually caused or not, be punished with death, or rigorous imprisonment for life, and shall also be liable to fine.

Punishment for attempt to cause explosion, or for making or keeping explosive with intent to endanger life or property.

4. Any person who unlawfully and maliciously—

(a) does any act with intent to cause by an explosive substance or special category explosive substance, or conspires to cause by an explosive substance or special category explosive substance, an explosion of a nature likely to endanger life or to cause serious injury to property ; or

(b) makes or has in his possession or under his control any explosive substance or special category explosive substance with intent by means thereof to endanger life, or cause serious injury to property, or to enable any other person by means thereof to endanger life or cause serious injury to property in India,

shall, whether any explosion does or does not take place and whether any injury to person or property has been actually caused or not, be punished,—

(i) in the case of any explosive substance, with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine;

(ii) in the case of any special category explosive substance, with rigorous imprisonment for life, or with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

Punishment for making or prossessing explosives under suspicious circumstances.

5. Any person who makes or knowingly has in his possession or under his control any explosive substance or special category explosive substance, under such circumstances as to give rise to a reasonable suspicion that he is not making it or does not have it in his possession or under his control for a lawful object, shall, unless he can show that he made it or had it in his possession or under his control for a lawful object, be punished,—

(a) in the case of any explosive substance, with imprisonment for a term which may extend to ten years, and shall also be liable to fine;

(b) in the case of any special category explosive substance, with rigorous imprisonment for life, or with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.'.

Amendment of section 7. 3. In section 7 of the principal Act, for the words "Central Government", the words "District Magistrate" shall be substituted.

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part -II, Section I, The Companies (Amendment) Act, 2001 (Act No. 57 of 2001) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 22-12-2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE COMPANIES (AMENDMENT) ACT, 2001

An Act further to amend the Companies Act, 1956.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :—

Short title and commencement. 1. (1) This Act may be called the Companies (Amendment) Act, 2001.

(2) It shall be deemed to have come into force on the 23rd day of October, 2001.

Amendment of section 77A. 2. In section 77A of the Companies Act, 1956 (hereinafter referred to as the principal Act),— 1 of 1956.

(a) in sub-section (2), in clause (b), the following shall be inserted, namely :—

'Provided that nothing contained in this clause shall apply in any case where—

(A) the buy-back is or less than ten per cent of the total paid-up equity capital and free reserves of the company; and

(B) such buy-back has been authorised by the Board by means of a resolution passed at its meeting :

Provided further that no offer of buy-back shall be made within a period of three hundred and sixty-five days reckoned from the date of the preceding offer of buy-back, if any.

Explanation:— For the purposes of this clause, the expression "offer of buy-back" means the offer of such buy-back made in pursuance of the resolution of the Board referred to in the first proviso;';

(b) in sub-section (4), for the words "special resolution", the words "special resolution or a resolution passed by the Board" shall be substituted;

(c) in sub-section (6), after the words, brackets, letter and figure "special resolution under clause (b) of sub-section (2)", the words, brackets and letter "or the Board has passed a resolution under the first proviso to clause (b) of that sub-section" shall be inserted;

(d) in sub-section (8), for the words "within a period of twenty four months", the words "within a period of six months" shall be substituted.

Amendment of section 292.

3. In section 292 of the principal Act, in sub-section (1), after clause (a), the following clause shall be inserted, namely :—

"(aa) the power to authorise the buy-back referred to in the first proviso to clause (b) of sub-section (2) of section 77A;".

Repeal and saving.

Ord. 7 of 2001. 4. (1) The Companies (Amendment) Ordinance, 2001 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act.

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part -II, Section I, The National Commission for Safai Karamcharis (Amendment) Act, 2001 (Act No. 55 of 2001) is hereby republished for general information . The Bill as passed by the Houses of Parliament received the assent of the President on 13-12-2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE NATIONAL COMMISSION FOR SAFAI KARAMCHARIS (AMENDMEND) ACT, 2001

An Act further to amend the National Commission for Safai Karamcharis Act, 1993.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :—

Short title. 1. This Act may be called the National Commission for Safai Karamcharis (Amendment) Act, 2001.

Amendment of section 1. 2. In the National Commission for Safai Karamcharis Act, 1993 (hereinafter referred to as the principal Act), in section 1, in sub-section (4), for the figures, letters and words "31st day of March, 2002", the figures, letters and words "29th day of February, 2004" shall be substituted. **64 of 1993.**

Amendment of section 4. 3. In section 4 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely :—

"(1A) Notwithstanding anything contained in sub-section (1), the Chairperson, Vice-Chairperson and every Member appointed on or after the 16th day of February, 2001, shall hold office for a period not exceeding three years from the date of assumption of his office or up to the 29th day of February, 2004, whichever is earlier.".

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part -II, Section I, The Cine-Workers Welfare Fund (Amendment) Act, 2001 (Act No. 56 of 2001) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 13-12-2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE CINE-WORKERS WELFARE FUND (AMENDMENT) ACT, 2001

An Act further to amend the Cine-workers Welfare Fund Act, 1981.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :—

Short title and Commencement.

1. (1) This Act may be called the Cine-workers Welfare Fund (Amendment) Act, 2001.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 2 of Act 33 of 1981.

2. In section 2 of the Cine-workers Welfare Fund Act, 1981, in clause (b), for sub-clause (ii), the following sub-clause shall be substituted, namely :—

"(ii) whose remuneration with respect to such employment in or in connection with the production of each of any five feature films, not being less than the monthly remuneration or lump sum remuneration stipulated prior to the commencement of the Cine-workers Welfare Fund (Amendment) Act, 2001, does not exceed such sum, whether monthly or by way of lump sum or instalments, as may be specified by the Central Government by notification in the Official Gazette;".

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part -II, Section I, The Constitution (Eighty-fifth Amendment) Act, 2001 is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 04-1-2002.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE CONSTITUTION (EIGHTY-FIFTH AMENDMENT) ACT, 2001

An Act further to amend the Constitution of India.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :—

Short title and Commencement. 1. (1) This Act may be called the Constitution (Eighty-fifth amendment) Act 2001.

(2) It shall be deemed to have come into force on the 17th day of June, 1995.

Amendment of Article 16. 2. In article 16 of the Constitution, in clause (4A), for the words "in matters of promotion to any class", the words "in matters of promotion, with consequential seniority, to any class" shall be substituted.

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part -II, Section I, The Essential Services (maintenance) Ordinance Repeal Act, 2001 (Act No. 1 of 2002) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 4-1-2002.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE ESSENTIAL SERVICES (MAINTENANCE) ORDINANCE REPEAL ACT, 2001

An Act to repeal the Essential Sevices (Maintenance) Ordinance,1941.

Be it enacted by parliament in the Fifty-second Year of the Republic of India as follows:—

1. This act may be called the Essential Services (Maintenance) Ordinance Repeal Act, 2001. **Short title.**

2. The Essential Services (Maintenance) Ordinance, 1941 is hereby repealed. **Repeal of Ord. XI of 1941.**

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part -II, Section I, The Appropriation (Railways) No. 3 Act 2001 (Act No. 2 of 2001), is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 04-1-2002.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE APPROPRIATION (RAILWAYS) No. 3 ACT, 2001

An Act to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1999 in excess of the amounts granted for those services and for that year.

Be it enacted by Parliament in the Fifty- second Year of the Republic of India as follows :-

1. This Act may be called the Appropriation (Railways) No. 3 Act, 2001. **Short title.**

2. From and out of the consolidated Fund of India, the sums specified in column 3 of the schedule amounting in the aggregate to the sum of three hundred forty-nine crores, forty lakhs, forty-five thousand, nine hundred and ninety-three rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services relating to Railways specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 1999, in excess of the amounts **Issue of Rs. 349,40,45,993 out of the consolidated Fund of India to meet certain expenditure for the financial Year ended on the 31st day of March, 1999.**

granted for those services and for that year.

Appropriation. 3. The sums deemed to have been authorised to be paid and applied from and out of the consolidated Fund of India under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1999.

THE SCHEDULE

(*See* sections 2 and 3)

1 No. of Vote	2. Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the consolidated Fund of India	Total
		Rs.	Rs.	Rs.
3	General Superintendence and Services on Railways	..	25,520	25,520
4	Repairs and Maintenance of Permanent Way and Works ..	..	7,25,436	7,25,436
5	Repairs and Maintenance of Motive Power	8,39,12,168	..	8,39,12,168
6	Repairs and Maintenance of Carriages and Wagons	23,91,08,557	..	23,91,08,557
8	Operating Expenses— Rolling Stock and Equipment.	1,00,27,165	..	1,00,27,165
9	Operating Expenses—Traffic ..	..	36,60,589,	36,60,589
11	Staff Welfare and Amenities ..	..	17,83,195	17,83,195
13	Provident Fund, Pension and other Retirement Benefits ..	315,39,64,774	..	315,39,64,774
16	Assets—Acquisition, Construction and Replacement—			
	<u>Other Expenditure</u>			
	Captial	..	8,38,589	8,38,589
	TOTAL ..	**348,70,12,664**	**70,33,329**	**349,40,45,993**

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part -II, Section I, The Appropriation (Railways) No. 4 Act, 2001 (Act No. 3 of 2002) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 04-1-2002.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE APPROPRIATION (RAILWAYS) No. 4 ACT, 2001

An Act to authorise payment and appropriation of certain further sums and out of the consolidated Fund of India for the services of the financial year 2001-02 for the purposes of Railways.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :-

short title.

1. This Act may be called the Appropriation (Railways) No. 4 Act, 2001.

Issue of Rs. 3698,00,20,000 out of the Consolidated Fund of India for the financial year 2001-02.

2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of three thousand six hundred ninety-eight crores and twenty thousand rupees towards defraying the several charges which will come in course of payment during the financial year 2001-02, in respect of the services relating to Railways specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(*See* sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the consolidated Fund of India	Total
		Rs.	Rs.	Rs.
14	Appropriation to Funds	400,00,00,000	..	400,00,00,000
16	Assets—Acquisition, construction and Replacement			
	Other Expenditure			
	Capital	1898,00,05,000	..	1898,00,05,000
	Railway Funds	1400,00,15,000	..	1400,00,15,000
	TOTAL..................	**3698,00,20,000**		**3698,00,20,000**

भाग 4 (ग) - कुछ नहीं

संचालक, मुद्रण तथा लेखन सामग्री, छत्तीसगढ़ द्वारा शासकीय क्षेत्रीय मुद्रणालय, राजनांदगांव से मुद्रित तथा प्रकाशित -2007.